

TOWN BOARD MEETING
WEDNESDAY, DECEMBER 2, 2009; 7:00 P.M.
 NEW WINDSOR TOWN HALL
 NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Town Attorney Blythe, Police Chief Biasotti

Supervisor Green called to order the Town Board meeting and presided over same.

#1 On Agenda: Minutes

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the minutes of the Public Hearings regarding the 2010 Budget and amendments to Vehicle and Traffic Law (Parking Regulations), and the minutes of the Town Board meeting, all held on November 4, 2009, as per the copies posted on the Town Clerk's bulletin board in the Town Hall, and same distributed to each of the Town Board members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

WATER DEPARTMENT

SANITATION DEPARTMENT

GENERAL

2 On Agenda: Motion - Authorize Execution Of 2010 Drug And Alcohol Testing Contract Renewal Agreement - Partners In Safety

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute 2010 Drug and Alcohol Testing Contract Renewal Agreement with Partners in Safety, 800 Route 17M, Middletown, New York.

Roll Call: All Ayes

Motion Carried: 5-0

3 On Agenda: Motion - Authorize Execution Of 2010 Drug And Alcohol Testing Contract Renewal Agreement - Partners In Safety For Dial A Bus FTA

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute the 2010 Drug and Alcohol Testing Contract Renewal Agreement for New Windsor - Cornwall Dial-A-Bus-FTA with Partners in Safety, 800 Route 17M, Middletown, New York.

Roll Call: All Ayes

Motion Carried: 5-0

4 On Agenda: Receive And File Fully Executed Agreement - Pre-Disaster Mitigation Program Planning - Modification Of Contract

Hearing no objections, the Town Board of the Town of New Windsor receive and file a fully executed Agreement with New York State Emergency Management office - Pre-Disaster Mitigation Program Planning - Modification of Contract #C000369.

5 On Agenda: Receive And File Official Undertaking Of Municipal Officers

Hearing no objection the Town Board of the Town of New Windsor receive and file with the Town Clerk the Official Undertaking of Municipal Officers dated November 17, 2009.

6 On Agenda: Motion - Authorize Transfer Of Funds - Parkland Fund To General Fund

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the transfer of \$150,000.00 from the Parkland Fund to the General Fund.

Roll Call: All Ayes

Motion Carried: 5-0

**TOWN BOARD MEETING
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7 On Agenda: Receive And File Bids For Surplus Vehicles

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the bids for surplus town vehicles received and publicly opened on the 25th day of November 2009.

8 On Agenda: Motion - Award Bids For Surplus Town Vehicles

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor award bids totaling \$1,839.99 for surplus Town vehicles as follows:

1982 Kawasaki VIN# JKAKZP10CB500497 to Liberty Motors, 1705 Kennedy Blvd., Jersey City, New Jersey 07305

1982 Kawasaki VIN# JKAKZCP13CB500509 to Darlene Phillips

Payment shall be made by cash, certified check or bank check, made payable to the "Town of New Windsor."

Roll Call: All Ayes

Motion Carried: 5-0

9 On Agenda: Receive And File Supplemental Developer's Agreement - RPA Associates - Patriot Bluff

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Supplemental Developer's Agreement between Town of New Windsor and RPA Associates, LLC, dated November 5, 2009 for the project known as Patriot Bluff.

10 On Agenda: Receive And File Consent And Order - Epiphany Drive

Hearing no objection, the Town Board of the Town of New Windsor receive and file Consent of the Town Board of the Town of New Windsor and Order of the Town of New Windsor Highway Superintendent for the acceptance of Epiphany Drive as a public highway.

11 On Agenda: Motion - Release Performance Bond - RPA Associates

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Town Clerk to release the original performance bond for Epiphany Drive in the reduced amount of \$193,832.00 on the recommendation of the Town Attorney following the dedication and acceptance of Epiphany Drive (SBL: 4-2-21.21) and Drainage Detention Pond (SBL: 4-2-21.32).

Roll Call: All Ayes

Motion Carried: 5-0

12 On Agenda: Receive And File Amendment To First Columbia Ground Lease - 4 London Avenue

Hearing no objection, the Town Board of the Town of New Windsor receive and file Amendment to Ground Lease Agreement between Town of New Windsor and First Columbia International Group, LLC, dated November 9, 2009 for the project known as 4 London Avenue.

13 On Agenda: Receive And File Notice Of Claim - Dana Hall

Hearing no objection, the Town Board of the Town of New Windsor receive and file Notice of Claim in the matter of Dana Hall vs. Town of New Windsor.

14 On Agenda: Motion - Execute Settlement Agreement - Alfred Julian

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Town Attorney to execute Settlement Agreement, Release and all related documents in the matter of Alfred Julian v. Town of New Windsor.

Roll Call: All Ayes

Motion Carried: 5-0

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15 On Agenda: Motion - Authorize Advertisement For Bids - Oak Street Drainage (Phase 1)

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor hereby authorizes the Supervisor and directs the Town Clerk to advertise for bids for the first phase of the project commonly known as the Oak Street Drainage Project. Dates to be determined by the Supervisor.

Roll Call: All Ayes

Motion Carried: 5-0

16 On Agenda: Motion - Authorize Supervisor To Execute Agreement - Newburgh SPCA

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Agreement between the Town of New Windsor and Newburgh S.P.C.A. to provide boarding of dogs and cats secured by the Town of New Windsor Animal Control Officer. Said Agreement is effective from January 1, 2010 to December 31, 2010.

Roll Call: All Ayes

Motion Carried: 5-0

17 On Agenda: Officials Reports

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of October 2009
Fire Prevention	Month of November 2009
Justice Noreen Calderin	Month of November 2009
Justice Richard W. Thorpe	Month of November 2009
Police Department	Month of November 2009
Recreation Department	Month of November 2009
Tax Receiver (Water - Sewer - Garbage)	Month of November 2009
Town Clerk	Month of November 2009

18 On Agenda: Public Forum

Supervisor Green opened the public forum portion of the meeting by asking if the Board had any comments.

Barney Bedetti asked what the sewer capacity is like since there are so many high density projects being proposed. Supervisor Green said that currently the Town is at 3 million gallons per day with a capacity of 4.5 million. He said the capacity has been enormously improved due to the various I & I projects the town has taken on such as the Erie Avenue project, the improvements at Stewart Terrace and the sewer line mediation the Port Authority is doing has also helped.

Mr. Bedetti said that in reference to the handout for November's budget meeting, he would like to know why the pie chart was not included this year. Supervisor Green said that no one realized it was left out until just before the meeting when it was too late to add it to the handout. He said that the budget is available at the Town Clerk's office for anyone to look at.

Jim Dittbrenner had a question relating to the Mason Ridge Workforce Housing public hearing. He wanted to know if the Planning Board will be required to report back to the Town Board about income standards and he wanted to know if the project will be regulated in any way, and if it is unregulated, could it turn into Section 8 housing.

Supervisor Green said that the Planning Board is not obligated to report to the Town Board but they will certainly look at all the income requirements. He said this will certainly not be Section 8 housing but will be controlled just like the new senior housing project will be.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the public forum.

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 5-0

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Supervisor Green said he had a few announcements to make, first of all the Christmas Tree lighting will be held on Friday, December 4 at 6 p.m.; the menorah lighting is scheduled for Monday, December 14 at 5:30 p.m.; the first workshop of the new year will be held on Monday, January 4 and the organizational Town Board meeting will be held on Wednesday, January 6, 2010.

Supervisor Green thanked everyone who takes the time to attend the monthly board meetings and said their participation is appreciated. The Supervisor went on to thank the entire staff for their cooperation throughout the past year, all the employees recognizing how difficult this year has been, have volunteered hundreds of hours for community activities, the police department has been outstanding at our concerts this year. Over the course of the year, a lot has changed on the national level and at the risk of being politically incorrect, he asks that as we each go about our holidays this year, we keep the men and women of the armed forces in our thoughts and prayers and remember those, who through no fault of their own, have fallen victim to the economy. On behalf of the Town Board, our officials and staff best wishes to all you for a happy, healthy, prosperous new year and thank you all for being here.

19 On Agenda: Adjourn

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 7:55 p.m.
Roll Call: All Ayes *Motion Carried: 5-0*

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc